DOCKET NO: 248628US0X

## IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF

:

JEAN-LUC JESTIN, ET AL.

: EXAMINER: WILDER, C. B.

SERIAL NO: 10/787,219

.

FILED:

**FEBRUARY 27, 2004** 

: ART UNIT: 1637

FOR:

METHODS FOR OBTAINING THERMOSTABLE ENZYMES, DNA

POLYMERASE I VARIANTS FROM THERMUS AQUATICUS HAVING NEW CATALYTIC ACTIVITIES, METHODS FOR OBTAINING THE SAME, AND

APPLICATIONS OF THE SAME

RESPONSE TO RESTRICTION AND ELECTION OF SPECIES REQUIREMENT
COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

Prior to examination on the merits and in response to the Restriction and Election of Species Requirement, Applicants provisionally elect Group I, Claims 1-22, 78, 79, drawn to a polynucleotide, with traverse. With the election of Group I, Applicants elect as a species SEQ ID NO: 19. The elected sequence encodes a polypeptide having a mutation in amino acid 761 (this mutation corresponds to M484 as referred to claim 1). Claims 1-8, 17-30, 39-47, and 56-77 read on the elected Species.

## **REMARKS**

The Examiner's position is that Claims 1-79 can be drawn to five distinct inventions as follows:

Group I:

Claims 1-22, 78, 79, drawn to a polynucleotide;

Group II:

Claims 23-58, drawn to a polypeptide and kit;